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13 ZACHARIAH JUDSON RUTLEDGE

14 UNITED STATES DISTRICT COURT
15 FOR THE NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 * * * * *

18 ZACHARIAH JUDSON RUTLEDGE,) CASE NO.: CV 07-04274 EMC

19 Plaintiff,

20 vs.

21 COUNTY OF SONOMA, MICHAEL
22 POTTS, RUSSEL L. DAVIDSON,
23 JAMES PATRICK CASEY, CHRISTINE
24 M. COOK, BEAU R. MARTIN,
25 J. MICHAEL MULLINS, STEPHAN R.
26 PASSALACQUA, GREG JACOBS,
SONOMA COUNTY SHERIFF'S
DEPARTMENT, SONOMA COUNTY
DISTRICT ATTORNEY'S OFFICE,
and DOES 1 through 40.

Defendants.

)
) **WAIVER OF SERVICE
OF SUMMONS**

) **RE: MICHAEL POTTS**

EDMUND G. BROWN JR.
Attorney General

State of California
DEPARTMENT OF JUSTICE



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January 30, 2008

Editte Lerman, Esq.
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RE: ***Zachariah Judson Rutledge v. County of Sonoma, et al.***
United States District Court, Northern District of California
Case No. C 07-04274-EMC

Dear Ms. Lerman:

Our office has received a copy of the First Amended Complaint for the above-referenced lawsuit.

We represent defendant Michael Potts, who has provided us authority to accept service of the summons and complaint on his behalf. Accordingly, pursuant to Federal Rules of Civil Procedure Rule 4(d), we waive service of the summons on him.

We will respond to the First Amended Complaint before 60 days have elapsed from January 14, 2008, which was the date of your waiver request.

In the interim, please provide us with any upcoming ^{judicial} court dates that Magistrate Judge Chen might have previously set. Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read "John P. Devine", written over a circular embossed seal.

JOHN P. DEVINE
Deputy Attorney General

For EDMUND G. BROWN JR.
Attorney General

JPD:sfa